

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

FILED
STATESVILLE, N.C.

OCT - 8 2013

U.S. District Court
Western District of N.C.

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

Civil Action No.: 05:09-CV-22

SHELBY DEAN MARTIN,
D. MARTIN ENTERPRISES, INC.
and DM VENTURES, LLC,

Defendants.

ORDER

THIS CAUSE, coming on to be heard and being heard before Richard L. Voorhees, United States District Judge for the Western District of North Carolina sua sponte by the Court to establish a procedure to address the estate's interest in Virginia Energy Resources, Inc. (hereinafter "VAE") and to finalize and close this matter;

It appearing to the Court that the estate's interest in the VAE shares are illiquid and insignificant in value at the present time, that it would be inequitable for Shelby Dean Martin to acquire title to the shares after this matter has been closed and that a procedure should be established for the administration of the VAE shares should the shares substantially increase in value; and

It further appearing to the Court that the Receiver should be directed to file any other pleadings necessary to finalize this matter within five (5) days from the date of this Order and to otherwise close this estate subject to the terms of this Order.

NOW, THEREFORE, IT HEREWITH IS ORDERED, ADJUDGED AND DECREED as follows:

1. That the Receiver be and he herewith is directed and ordered to hold the shares of VAE in trust;

2. That the Receiver be and he herewith is directed and ordered to reopen this case should he determine that the shares significantly increase in value so that they can be sold and a second distribution could be made to the defrauded investors in this proceeding;

3. That, upon the Receiver determining that the shares have a value which merits a sale of the same, the Receiver is directed and ordered to file a Motion to Reopen this case and seek authority to liquidate and sell the shares;

4. That the Receiver be and he herewith is directed and ordered to file such documents as may be required to close and finalize this matter within five (5) days from the date of the entry of this Order; and

5. That the Clerk's Office be and it herewith is authorized to close this matter upon the final resolution of any pleadings which may be filed by the Receiver.

Dated: October 8, 2013

A handwritten signature in cursive script, reading "Richard L. Voorhees", written over a horizontal line.

RICHARD L. VOORHEES
UNITED STATES DISTRICT COURT JUDGE